

**BY-LAWS**

**OF THE**

**HEART MOUNTAIN**

**IRRIGATION DISTRICT**

Effective Date: January 10, 2012

Published By:  
Heart Mountain Irrigation District  
1206 Road 18  
Powell, Wyoming 82435

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**I. NAME AND CONTROL**

The name of the corporation is Heart Mountain Irrigation District (hereinafter referred to as the “District”). The District was organized and created by the District Court of Park County, Wyoming, pursuant to and in conformity with the provisions of Wyo.Stat. §§ 41-7-201 et seq. The District’s principal office shall be located in Powell, Park County, Wyoming at such place or places within said County as may be designated from time to time by the Board of Commissioners.

A. Corporate Seal: The corporate seal of the District shall be circular in form with the words “The Heart Mountain Irrigation District, Park County, Wyoming” surrounding the word “Seal”.

**II. DISTRICT POWERS (Wyo.Stat. § 41-7-210(a)(iv))**

The District, as a corporation, has the following powers:

- A. To sue and be sued.
- B. To adopt and use a corporate seal.
- C. To have perpetual succession.
- D. To file on and acquire the right to use of water for domestic and irrigation purposes; to acquire sites for reservoirs and rights-of-way for ditches, canals and laterals.
- E. To exercise the power of eminent domain pursuant to Wyoming law.
- F. To contract with the State of Wyoming for the reclamation and segregation of public lands pursuant to the laws of the United States and the State of Wyoming, and to contract for the sale of water rights by it acquired pursuant to said laws and to purchase and acquire state lands.
- G. To acquire by purchase, or otherwise, irrigation works, water rights, land and other property and to sell, lease or otherwise dispose of the same; to buy, develop, sell and distribute electrical energy as an incident to the ownership, control and operation of irrigation works of the District or the cooperative works of the District and the United States as the District may deem expedient or suitable for the development of the District.

**III. ANNUAL MEETING OF UNIT HOLDERS**

a. Annual Meeting: The Annual Meeting of the unit holders of the Heart Mountain Irrigation District for the purpose of electing Commissioners and for the transaction of

such other business which may legally come before said meeting shall be held in the manner provided by the statutes of the State of Wyoming on or before the third Tuesday in February of each year at an hour and place within the boundary of the District as fixed by the Commissioners. This process will follow the guidance of Wyoming Statute §41-7-302.

b. Notice: Notice of said meeting shall be given as provided by the statutes of the State of Wyoming and pursuant to the Open Meetings Act (Title 16, Chapter 4).

c. Special Meetings: Special meetings of the Board or the unit holders may be called by the President or by a quorum of the Commissioners for the purposes and at the time and place as shall be specified in the notice thereof. Such special meetings will be conducted as provided by the statutes of the State of Wyoming and pursuant to the Open Meetings Act (Title 16, Chapter 4).

d. Notice of Special Meeting: Notice stating the time, place, and purpose of a special meeting shall be given as provided by the statutes of the State of Wyoming and pursuant to the Open Meetings Act (Title 16, Chapter 4).

e. Order of Business: The order of business of the annual meeting shall be as follows:

1. Meeting called to order by the President;
2. Reading of roll call by President;
3. Reading, corrections, and approval of minutes of the previous meeting;
4. Reports of manager and secretary-treasurers;
5. Reports of officers and directors;
6. Reports of standing and special committees;
7. Unfinished business;
8. New business;
9. Elections of Commissioners (see below: Section IV(e) for elections protocol)

#### IV. **DISTRICT COMMISSIONERS**

The District shall be managed and controlled by the board of five Commissioners elected by the unit holders at the annual election, which board shall constitute the corporate authority of said District and shall exercise the functions conferred upon it by law.

- a. Commissioner Districts. The District has been divided into five (5) Commissioner Districts and are numbered consecutively one to five.
- b. Board of Commissioners. One Commissioner shall be elected from each Commissioner District as shown on the map of the District approved by the District Court and on file in the Office of the Clerk of the District Court of Park County, Wyoming.
- c. Presumption. The District Commissioners of the District are public officers and enjoy a presumption in favor of the regularity and validity of all their official acts. (Wyo.Stat. § 41-7-301).
- d. Term. The term of an elected Commissioner shall commence upon the date of the next regular meeting of the Commissioners held after his/her election. The Commissioner shall serve for a term of three (3) years and until his/her successor is elected and qualified. (Wyo.Stat. § 41-7-316(d)).
- e. Elections. (Wyo.Stat. §§ 41-7-316(a), 41-7-317 and 41-7-318)
  - i. The Commissioners prefer that candidates for office of Commissioner file, or there be filed for them with the Secretary of the Irrigation District, a petition signed by not less than five (5) qualified electors of the District from which the Commissioner is to be elected and said petition must be filed by January 10<sup>th</sup> each year. A letter stating the above will be sent by December 24<sup>th</sup> each year to electors of the District from which the Commissioner is to be elected.
  - ii. The election for Commissioner(s) shall be held during the District's annual meeting each year. The Board will accept nominations for any open position from the floor at the annual meeting.
  - iii. At least twenty (20) days prior to the date of the election, the District shall mail to each person or corporation entitled to vote there at, at his or its last known place of residence or business, a notice of the election stating the time, place and purpose of the election.
  - iv. At the hour and place of such election, the Commissioners shall call the roll of those entitled to vote and the number of votes each is entitled to cast. They shall make a record of the qualified voters present, receive all

proxies and prescribe the manner of canvassing votes. A person or corporation may vote in person or by proxy. All proxies shall be in writing and signed by the person or corporation entitled to vote.

- v. An election is valid even though a majority of the acreage within the District is not represented at such election.

f. Qualifications. (Wyo.Stat. § 41-7-302)

- i. A Commissioner must be a Member in the District, be a landowner within the particular Commissioner's District of which he/she is elected, own at least 30 acres of water right ground within that particular district, have a gross agricultural income at a minimum of \$10,000 and must receive a majority of all votes cast by the qualified voters of the Commissioner's District.
- ii. Before entering upon their duties, Commissioners shall take and subscribe an oath to support the Constitution of the United States and the Constitution of the State of Wyoming, to faithfully and impartially discharge their duties as such Commissioner and to render a true account of their doing when so required by law, or by order of Court.
- iii. Each Commissioner shall execute a bond running to the Clerk of the District Court in Park County, Wyoming, and his/her successors in office, as obligees, to be filed with said Clerk for the benefit of the parties interested, in an amount fixed by the Court and with sureties approved by the Court conditioned for the faithful discharge of his/her duties as Commissioner and the faithful accounting of all moneys which shall come into his/her hands as a Commissioner.

- g. Entitlement to Vote. Every person or corporation owning (as proved by recorded deed) or entitled by virtue of public land filing to the possession of land situated within and being a part of any Commissioner District in which an election for Commissioner is being held, and upon which land no assessment for operation, maintenance or repairs is delinquent for more than four (4) years, shall be entitled to cast, for the Commissioner to be elected, for the Commissioner District wherein such land is situated, one (1) vote for each irrigable acre of such land assessed upon the last annual assessment. (Wyo.Stat. § 41-7-317).

- h. Vacancies. Whenever the office of an elected Commissioner shall be vacant by

reason of death, resignation or other cause, the vacancy shall be filled by an appointment of the surviving Commissioners for the unexpired term. In case such vacancy is not so filled within thirty (30) days, the Court shall fill such vacancy. (Wyo.Stat. § 41-7-318). If any Commissioner shall be absent from three consecutive meetings of the Board of Commissioners of said District without being excused therefrom by a majority vote of the entire board, his or her office shall be declared vacant. Commissioners shall be subject to removal by a four-fifths vote of the full membership of the Board of Commissioners for any misconduct or neglect of duty.

- i. Quorum. A majority of the Commissioners shall constitute a Quorum and a concurrence of a majority in any matter within their duties shall be sufficient to its determination. (Wyo.Stat. § 41-7-302).
- j. Compensation. The Commissioners shall receive for their services such compensation as the District Court in Park County or the presiding judge thereof may determine as set forth in the District's annual Budget Petition, and they shall also be reimbursed for their actual reasonable expenses. (Wyo.Stat. § 41-7-304).
- k. Meetings. Regular monthly meetings of the Board of Commissioners shall be held at the District Office, 1206 Road 18, Powell, Wyoming, on the second Tuesday of each and every month or at such other time as may from time to time be designated by the Board of Commissioners.
- l. Special Meetings. Special meetings of the Board of Commissioners may be called at any time by the President of the Board of Commissioners, by giving notice thereof to each member, either by mail, by phone or in person. Such notice shall be given either by the President of the Board or by the Secretary-Treasurer. Any three members of the Board of Commissioners may call a special meeting by giving notice to the other two members of the time and place thereof at least twenty-four hours in advance of the time of said meeting. Such special meetings shall be conducted in accordance with the Statutes of the State of Wyoming and the Open Meetings Act (Title 16, Chapter 4).
- m. Order of Business. The regular order of business at all meetings of the Board of Commissioners shall be as follows:

- i. Roll call
  - ii. Reading and approving of all minutes of meetings since and including the last regular meeting of the Board
  - iii. Auditing and payment of accounts and bills
  - iv. Reports of officers and committees
  - v. Unfinished business
  - vi. New business
- n. Manner of Voting: The manner of voting shall be decided by the President, provided, however, that a roll call vote shall be taken and recorded in the minutes upon the request of any Commissioner.
- o. Committees: The membership of all committees shall be approved by a majority vote of all members present.

**V. ORGANIZATION AS A BOARD AND OFFICERS**

- a. General/Organization as a Board. The Commissioners constitute the corporate authority of the District and shall exercise the functions conferred on them by law. The Commissioners are organized as a Board, and shall elect a President and Vice President from their number and appoint a Secretary-Treasurer, who may or may not be a member of the Board. (Wyo.Stat. § 41-7-303).
- b. Election and Tenure: The President and Vice President shall be elected annually at the first or organizational meeting held by the members of the newly elected Board following their election. No person except a member of the Board of Commissioners shall be eligible for the office of President or Vice President. Each of said officers shall hold his office for a period of one year and until his successor is elected and qualified. The Secretary – Treasurer shall be appointed by the Board to hold office at its pleasure.
- c. Removal: The President or Vice President shall be subject to removal by a four-fifths vote of the full membership of the Board of Commissioners for any misconduct or neglect of duty.
- d. Vacancy: In the event of the removal, death, resignation, or other vacancy in any of the said offices, the vacancy shall be filled by the Board of Commissioners at the next regular or special meeting for the un-expired term.

- e. Expenditure of Funds. No work or expenditure of funds of the District shall be done or made unless approved by the Board of Commissioners.
- f. President. The President shall be the principal executive officer of the District and, subject to the control of the Board of Commissioners, shall, in general, supervise and control all of the business and affairs of the District. He shall, when present, preside at all meetings of the Commissioners and of the general District meetings. He may sign, with the Secretary-Treasurer or any other proper officers of the District thereunto authorized by the Board of Commissioners, any deed, mortgages, bonds, contracts or other instruments which the Board of Commissioners has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board to some other officer or agent of the District or shall be required by law to be otherwise signed or executed; and, in general, shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board from time to time.
- g. Vice President. In the absence of the President or in the event of his death, inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting, shall have all the power of and be subject to all the restrictions upon the President. The Vice President shall perform such other duties as, from time to time, may be assigned to him by the President or by the Board of Commissioners.
- h. Secretary-Treasurer. The Secretary-Treasurer shall:
  - i. Keep a record of the minutes of all Board of Commissioner meetings in a book to be provided for that purpose.
  - ii. Carry on the correspondence of the District.
  - iii. See that all notices are properly given in accordance with the provisions of these By-Laws or as required by law.
  - iv. Be custodian of the District records, correspondence and of the seal of the District and see that the seal is affixed to all documents the execution of which on behalf of the corporation, under its seal, is duly authorized.
  - v. Have charge and custody of and be responsible for all funds and security

of the District; receive and give receipts for the moneys due and payable to the District from any source whatsoever, and to deposit all such moneys in the name of the District to such banks, trust companies or other depositories as shall be selected by the Board of Commissioners.

- vi. Keep full and complete books and records of all receipts and disbursements and to give bond in such amount as shall be required by the board of commissioners.
- vii. The books of the Secretary-Treasurer shall be opened for inspection by the Board of Commissioners at any and all times and said books shall be kept in such form as may from time to time be prescribed by the Board of Commissioners.
- viii. In general, perform all the duties incident to the office of Secretary-Treasurer and such other duties as from time to time may be assigned to him/her by the President or by the Board of Commissioners.
- i. Assistant Secretary-Treasurer. The Board may, if it so elects, appoint an Assistant Secretary-Treasurer who may be an employee or agent of the District, who may generally perform the duties of the Secretary-Treasurer and when so acting shall have all of the powers and be subject to all of the restrictions upon the Secretary-Treasurer.

**VI. POWERS AND DUTIES OF BOARD OF COMMISSIONERS (Wyo.Stat. §§ 41-7-210, 41-7-303, 41-7-304, 41-7-307 and 41-7-314)**

The Board of Commissioners shall have power and it shall be their duty to:

- a. In General: (§ 41-7-303)
  - i. Adopt By-Laws;
  - ii. Manage and conduct the affairs and business of the District;
  - iii. Make and execute all necessary contracts;
  - iv. Employ such agents, attorneys, officers and employees as may be required, and prescribe their duties;
  - v. Establish equitable rules and regulations for the distribution and use of water to and upon the lands of the District, provided always that such rules

shall not be in conflict with or contrary to any statute of the State of Wyoming relative to such matters;

- vi. Generally, to perform all such acts as shall be necessary to fully carry out the purposes of the District, as provided by Wyoming law.
- vii. In addition to the means to supply water to the District proposed by the petition submitted for the formation of the District, to construct, acquire or purchase any and all canals, ditches, reservoirs, reservoir sites, water rights, rights-of-way, or other property necessary for the use of the District;
- viii. In case of the purchase of any property by the District, the bonds of the District hereinafter provided for may be used at their par value in payment without previous offer of such bonds for sale;
- ix. For the purpose of acquiring control over government land within the District and complying with the provisions of the Act of Congress of August 11, 1916 [43 U.S.C. §§ 621 through 630], the Board shall have authority to make such investigation, and based thereon, such representation and assurances to the Secretary of the Interior as may be requisite; and the Board may contract with the United States for the construction, operation and maintenance of the necessary works for the delivery and distribution of water therefrom under the provisions of the Federal Reclamation Act, and all acts amendatory thereof and supplementary thereto and the rules and regulations established thereunder, or for the assumption, as principal or guarantor of the indebtedness of the United States on account of the District lands;
- x. The Board may contract with the United States for water supply under any act of Congress providing for or permitting such contract, and in case any contract has been or may thereafter be made with the United States, as herein provided, bonds of the District may be deposited with the United States at ninety (90%) per cent of their par value, to the amount to be paid by the District to the United States under any such contract, the interest on said bonds, if bearing interest, to be provided for by assessment and levy

as in the case of other bonds of the District and regularly paid to the United States to be applied as provided in such contract; and if bonds of the District are not so deposited, it shall be the duty of the Board to include as part of any levy or assessment provided for herein, an amount sufficient to meet each year all payments accruing under the terms of said contract; and the Board may accept on behalf of the District, appointment of the District as fiscal agent of the United States, or authorization of the District by the United States to make collection of moneys for or on behalf of the United States, in connection with any Federal Reclamation project, whereupon the District shall be authorized to so act and to assume the duties and liabilities incident to such action, and the said Board shall have full power to do any and all things required by the Federal statutes now or hereafter enacted in connection therewith, and all things required by the rules and regulations now or that may hereafter be established by any department of the Federal government in regard thereto;

- xi. The Board shall have the power to buy, develop, sell and distribute electrical energy as an incident to the ownership, control and operation of the irrigation works of the District, or the cooperative works of the District and the United States, and to use, sell and distribute the same;
- xii. The Commissioners shall not contract with the United States for the construction, operation or maintenance of the necessary works for the delivery and distribution of water to District lands or for the drainage of District lands under the provisions of the Federal Reclamation Act and any act or acts amendatory thereof or supplementary thereto, or the rules and regulations established thereunder or for the assumption as principal or guarantor of indebtedness of the United States on account of District lands, or for a water supply or drainage incident to irrigation under any act of Congress providing for or permitting such contract, or for acceptance by the District of appointment or authorization of fiscal agent of the United States to make collections of money for or on behalf of the United States in connection with any Federal reclamation project until

there has been an election duly held at which a majority of the qualified electors present and voting have voted in favor of making such contract.

b. Financial Records and Reports: (41-7-304)

- i. The Commissioners shall keep an accurate record of all moneys collected on account of the work under their charge and of all payments made by them and shall take vouchers for such payments and shall keep full, accurate and true minutes of all their proceedings;
- ii. Documents containing an itemized statement of all receipts and disbursements are available for inspection in the District office by parties interested at all times.

c. New Work and Boundary Changes: (41-7-307)

- i. If the Commissioners propose new work, or a change of boundaries in the Heart Mountain Irrigation District, they shall follow the procedures provided by Wyoming law;
- ii. The Commissioners shall assess the construction costs and alter the location of irrigation works and the inclusion or exclusion of lands within the District only after complying with the statutory procedures pertaining thereto.

d. Power to Enter Land: (41-7-314)

- i. The Commissioners, their agents, servants and employees shall have the right to go upon all lands along any reservoirs, ditch, canal or embankment in their District to inspect, deepen, widen and repair the same whenever necessary, doing no unnecessary damage, and shall not be liable for trespass therefore;
- ii. The Commissioners shall have the right to lay out and construct all necessary canals, ditches, drains and embankments across any railway, right-of-way or yard within their District by following the procedure set forth by Wyoming law §41-7-314.

VII. **HIRING OF MANAGER AND OTHER EMPLOYEES**

- a. The Board of Commissioners will appoint a Manager and Secretary pursuant to the District's contract with the U.S. Bureau of Reclamation. The Commissioners

will hire other employees as deemed necessary.

- b. The Manager, with the approval of the Board of Commissioners, shall have general charge of the District and the employment of personnel thereon. The Manager shall have authority to enforce the By-Laws of the District relating to the use of water within the district and to pro-rate the water in the District among the users, and such pro-ration may be fixed by closing certain head gates and opening others; and shall have authority to turn off water where the user is wasting it or not using it for beneficial use.
- c. The Board shall fix the Manager's compensation.
- d. The Manager shall be an employee at will and can be terminated without cause.
- e. In the absence of the Board employing a Manager, the above powers and duties shall be exercised and performed by the Board of Commissioners.
- f. The Manager may employ and appoint such other employees as may be required and prescribe their duties and fix their compensation. Employees shall be hired at will and be subject to termination without cause.

#### VIII. ASSESSMENTS

- a. Itemized Estimate. The Commissioners shall on or before the first Tuesday of June of each year file with the Park County Clerk of District Court a report showing an itemized estimate of the money to be raised by assessment within the District for the purpose of constructing new work, maintenance and to meet the yearly current expenses of the District. In addition to the foregoing itemized estimate, the Commissioners may add a sum which in their judgment shall be sufficient to provide for possible delinquencies and to meet the principal and interest on lawful indebtedness of the District maturing during the current year. When completed, this shall be known as "THE BUDGET OF HEART MOUNTAIN IRRIGATION DISTRICT FOR THE YEAR 20\_\_" and shall be verified under oath by one of the Commissioners.
- b. Excess Indebtedness. The Commissioners shall not incur any indebtedness for current expenses of the District in excess of the amount provided in the budget. Provided, however, in case a greater sum than that provided in the budget is required, the Commissioners may file a petition setting forth the causes therefore,

with the Park County Clerk of District Court and follow the procedure provided in Wyoming law. (Wyo.Stat. § 41-7-402).

- c. Assessment Roll. The Commissioners of the District shall, on or before the third Monday of July in each year, prepare the assessment role of the District, which shall contain:
- i. The name of the owner, together with a description of each lot, tract and easement of land within the District and the aggregate assessment of benefits confirmed by the Court against the same;
  - ii. The name of all corporations assessed together with the aggregate assessment levied against such corporations respectively;
  - iii. The amount assessed against each lot, tract and easement of land, and against each corporation in the District, for current expense and to meet the principal and interest on the indebtedness of the District for the current year.
    1. All such assessments to meet the principal and interest on the indebtedness of the District for the current year, shall be apportioned on the aggregate assessment of benefits last confirmed by the Court.
    2. All such assessments for current expenses shall be based upon irrigable acreage and shall be uniform as to irrigable lands receiving the maximum apportionment of water from the District, and as to irrigable lands receiving less than such maximum apportionment such assessment shall bear the same proportion as the amount of water apportioned to such lands bears to the maximum apportionment of water to other lands in the District. Provided however, that the Commissioners may, in their discretion, provide for a minimum annual assessment for current expense.
  - iv. When the assessment role is completed, it shall be signed by the Commissioners and verified by one of them. On or before the third Monday in July of each year, the Commissioners of the District shall

deliver to the County Commissioners of Park County the assessment role of the District. (Wyo.Stat. § 41-7-403).

- d. Due Date for Assessments. Assessment to meet expenses of any current year of the District shall become due, payable and delinquent at such time or times each year as may be fixed by law for state and county taxes to become due, payable and delinquent. (Wyo.Stat. § 41-7-413).
- e. Collection of Assessments. All taxes or assessments levied or assessed on behalf of the District shall be payable to and collected by the District Treasurer at the office designated by the District at the time and in the manner now fixed by statute. The enforcement of the collection and disposition of such assessments shall be controlled by Wyoming law. (Wyo.Stat. § 41-7-413). Specifically, delinquent assessments will be collected by the Park County Treasurer.
- f. Additional Assessments. Further or additional assessments on the land and persons benefitted may be made by the Commissioners under order of the Court. (Wyo.Stat. §§ 41-7-405 and 41-7-406).
- g. Nonpayment of Assessments. The Board of Commissioners shall have the authority to refuse to deliver water to those Members that are delinquent in the payment of their assessments or any other amount owed by such Member to the District.

**IX. ADVERTISING FOR BIDS**

In all cases where work to be done at any one time under the direction of the Commissioners will, in their opinion, cost in excess of Seven Thousand Five Hundred Dollars (\$7,500.00), the same shall be let to the lowest responsible bidder, and the Commissioners shall advertise for sealed bids, by notice as required by law. The Commissioners may continue the letting from time to time, if in their judgment, the same shall be necessary, and shall reserve the right to reject any and all bids. This By-Law shall not be construed to apply to the employment of the manager, office manager, engineer, attorney or other employees engaged in the general work of the District. (Wyo.Stat. § 41-7-412).

**X. MISCELLANEOUS**

- a. Waiver of Service. Any notice provided for in these By-Laws may be waived by

the person or corporation entitled to such notice by written consent signed, witnessed and acknowledged. (Wyo.Stat. § 41-7-101).

- b. Joint Operation and Cooperation with other Irrigation and Drainage Districts. If the District so desires, it may cooperate in the operation and maintenance of its system of irrigation with one or more other incorporated irrigation or drainage districts by availing itself of the provisions of Wyoming law provided for this purpose and following the procedure outlined therein. (Wyo.Stat. § 41-6-101).
- c. By-Laws. The District Commissioners are expressly authorized to make, amend, alter and rescind the By-Laws of the District by affirmation vote of a majority of the Commissioners in any respect not precluded by law.
- d. Instruments. No instrument shall be deemed to have been duly executed on behalf of the District unless it shall have been signed by the President and, when a seal is required, sealed with the corporate seal and attested by the Secretary-Treasurer.
- e. Minutes. The Secretary-Treasurer of the District shall keep the minutes of all the District Commissioners' meetings.
- f. Revenue Bonds. The District shall have the power and authority to issue its revenue bonds, the principal and interest of which shall be payable from designated revenues and sources of payment including the proceeds of any existing or proposed construction work, contract or contracts, but excluding assessments upon and against lands and property of the landowners and entrymen therein by following the provisions provided in Wyoming laws. (Wyo.Stat. § 41-7-902).
- g. Bonds held by State. The District, if all of its outstanding bonds are held by the State of Wyoming, may on any date when an installment of principal or interest matures, pay to the State Treasurer the whole of any indebtedness evidenced by any such bond or bonds.

## XI. AMENDMENTS

These By-laws may be amended at any regular meeting called for that purpose by an affirmative vote of at least four members of the Board, provided that notice of the proposed amendment or amendments shall, in all cases be given at a meeting of the

Board of Commissioners at least ten days prior to the time that final action is taken thereon.

**XII. SEVERABILITY**

If any of the foregoing By-laws shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions of these By-laws.

**XIII. DISSOLUTION**

When the Commissioners of the District by unanimous vote of the total membership thereof shall determine to call an election or whenever a majority of the landowners in the District, who shall represent one-half of the irrigable lands within the District, shall file with the Commissioners a petition praying for the dissolution thereof, it shall be the duty of the Commissioners to forthwith call an election of all the landowners of the District to determine whether or not the District shall be dissolved. (Wyo.Stat.§ 41-7-1001).

**XIV. ENACTING CLAUSE**

All previous by-laws are hereby amended to read as herein provided and all by-laws, rules and regulations in conflict herewith are hereby repealed.

Adopted by the following Commissioners of the Board on the \_\_\_\_ day of January, 2012.

\_\_\_\_\_  
Patricia Nelson, Commissioner  
District #1

\_\_\_\_\_  
Richard Preator, Commissioner  
District #2

\_\_\_\_\_  
Travis Jackson, Commissioner  
District #3

\_\_\_\_\_  
Brian Duyck, Commissioner  
District #4

\_\_\_\_\_  
Ric Rodriguez, Commissioner  
District #5